

ELLEN F. ROSENBLUM
Attorney General
JACQUELINE KAMINS #064972
Assistant Attorney General
Department of Justice
1515 SW Fifth Ave, Suite 410
Portland, OR 97201
Telephone: (971) 673-1880
Fax: (971) 673-5000
Email: Jacqueline.Kamins@doj.state.or.us

Attorneys for Defendant Kitzhaber

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GALICE MINING DISTRICT; IDA LEE
REMAN, Recorder for the Galice Mining
District; KERBY DALE JACKSON, CEO for
Galice Mining District; DELANT CORY
PALMERTON, Vice Executive Officer for
Galice Mining District; and IRVIN LEE
ADKINS, Private Attorney General,

Plaintiffs,

v.

JOHN KITZHABER, Governor; PETER
COURTNEY, Senator; JACKIE
DINGFELDER, Senator; and ALAN BATES,
Senator,

Defendants.

Case No. 6:13-cv-00682-TC

DEFENDANTS' MOTION TO DISMISS

Pursuant to LR 7-1(a)(1)(C), the undersigned counsel attempted to confer with the
plaintiffs, but was unable to connect with them.

Defendants move to dismiss the claim under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). This Court lacks subject matter jurisdiction and all defendants are immune from suit.

In support of this motion, defendants rely on the accompanying memorandum of law.

DATED May 28, 2013.

Respectfully submitted,

ELLEN F. ROSENBLUM
Attorney General

s/ Jacqueline Kamins
JACQUELINE KAMINS #064972
Assistant Attorney General
Trial Attorney
Tel (971) 673-1880
Fax (971) 673-5000
Jacqueline.Kamins@doj.state.or.us
Of Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on May 28, 2013, I served the foregoing DEFENDANTS' MOTION TO DISMISS upon the parties hereto by the method indicated below, and addressed to the following:

Galice Mining District
[1525] Plat I
Sutherlin OR [97479]
(971) 221-9066
Pro Se

☐ HAND DELIVERY
☒ MAIL DELIVERY
☐ OVERNIGHT MAIL
☐ TELECOPY (FAX)
☐ E-MAIL
☐ E-FILE

Ida Lee Reman
:ida-lee: [reman]
[1525] Plat I
Sutherlin OR [97479]
(971) 221-9066
Pro Se

☐ HAND DELIVERY
☒ MAIL DELIVERY
☐ OVERNIGHT MAIL
☐ TELECOPY (FAX)
☐ E-MAIL
☐ E-FILE

Kerby Dale Jackson
:kerby-dale: [jackson]
[1525] Plat I
Sutherlin OR [97479]
(971) 221-9066
Pro Se

☐ HAND DELIVERY
☒ MAIL DELIVERY
☐ OVERNIGHT MAIL
☐ TELECOPY (FAX)
☐ E-MAIL
☐ E-FILE

Delant Cory Palmerton
:delant-cory: [Palmerton]
[1525] Plat I
Sutherlin OR [97479]
(971) 221-9066
Pro Se

☐ HAND DELIVERY
☒ MAIL DELIVERY
☐ OVERNIGHT MAIL
☐ TELECOPY (FAX)
☐ E-MAIL
☐ E-FILE

Irvin Lee Adkins
:Irvin-lee: [adkins]
[1525] Plat I
Sutherlin OR [97479]
(971) 221-9066
Pro Se

☐ HAND DELIVERY
☒ MAIL DELIVERY
☐ OVERNIGHT MAIL
☐ TELECOPY (FAX)
☐ E-MAIL
☐ E-FILE

s/ Jacqueline Kamins
JACQUELINE KAMINS #064972
Assistant Attorney General
Trial Attorney
Tel (971) 673-1880
Fax (971) 673-5000
Jacqueline.Kamins@doj.state.or.us
Of Attorneys for Defendant Governor Kitzhaber